



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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OAG 16-008

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Subject: Whether a constable is a head of a governmental unit for the purposes of obtaining official license plates

Requested by: Constable Bryan Anderson

Written by: Matt James

Syllabus: A constable is a head of a governmental unit for the purposes of obtaining official license plates

Statutes construed: KY. CONST. § 99; KRS 186.060

OAGs cited: OAG 12-001; OAG 79-525

Opinion of the Attorney General

Constable Bryan Anderson has requested an opinion of this office as to whether a constable is the head of a governmental unit for the purpose of obtaining official license plates under KRS 186.060. We advise that a constable is a head of a governmental unit for the purposes of obtaining official license plates under KRS 186.080.

Constable Anderson, who serves as constable for Hopkins County's Fifth District, has leased a Ford Crown Victoria police cruiser on behalf of the Hopkins County Fifth District Constable's Office. At issue is whether Constable Anderson is the head of a governmental unit such that he may authorize the use of official license plates for the vehicle.

KY. CONST. § 99 provides that "there shall be elected in each county . . . in each Justice's District . . . one Constable." "The office of constable is created by

Section 99 of the Constitution" *Commonwealth v. Bradley*, 516 S.W.2d 644, 645 (Ky. 1974). *See also* OAG 79-525 ("The office of constable is a constitutionally elective office under § 99."). The office of constable is thus a constitutional office. KRS 186.060(1) provides that "applications for registration of motor vehicles leased or owned by a county . . . shall be accompanied by a statement from the head of the department of the governmental unit that leases or owns the motor vehicle, certifying that the motor vehicle is leased or owned and operated by the governmental unit." This expressly includes vehicles leased by the local government unit. OAG 12-001. As a constitutional office, a constable is therefore the head of a local government unit for the purposes of KRS 186.060. Accordingly, a constable is the head of a local government unit for the purposes of requesting official license plates.

ANDY BESHEAR
ATTORNEY GENERAL

A handwritten signature in cursive script, appearing to read "Matt James".

Matt James
Assistant Attorney General